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Attorney Docket: 3602360-7049737001
(formerly 13144-17679)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Yue-Peng HUANG et al.

Serial No. 09/991,978

Art Unit: 3623

Filed: November 26, 2001

Examiner: Patrick T. Lown

For: EXCIPIENTS CONTAINING LOW RESIDUAL SOLVENT
AND METHOD FOR PRODUCING THE SAME

DECLARATION UNDER 37 CFR 1.132

I, Yue-Peng Huang, declare as follows:

1. I am one of the inventors in the above-identified application.

2. I was employed at Yung-Zip Chemical Ind. Co., Ltd. (hereinafter "Yung-Zip"), with an address of No. 59, Yu-Shih Road, Youth Industrial District, Tachia, Taichung, Taiwan, from 1998 to 2003. My current address is No. 1, Sec. 95, Jung Cheng Road, Long Jing, Taichung, Taiwan.

3. During my employment at Yung-Zip, I discovered that, in trying to remove residual solvent from an excipient containing a water-clearing property (i.e. containing a methoxyalkylcarboxyl group [-CH₂-CH₂-R-COO- λ^+]), if I added water or any water solution containing more than 10% of water to the excipient at room temperature with constant stirring, the excipient became pasty and lost its fluidity, which made it unsuitable for use in preparations of pharmaceuticals, fish feeds, plant growth regulators, pesticides and/or herbicides.

4. On the contrary, if I added a solvent/water solution containing no more than 40% of water to the excipient with constant mixing at room temperature, I could obtain an excipient with less than 3000 ppm of solvent by removing the solvent by filtering the excipient.

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solvent/water mixture followed by drying the retained excipient.

For example, when I mixed the mollusky alkylenebuxyl group-containing excipient with a methanol/water solution (containing 30% of water and 70% of methanol), I could obtain a low residual excipient containing about 733 ppm of solvent. The low residual excipient made by this method possessed good fluidity and was suitable for use in pharmaceuticals, fish foods, plant growth regulators, pesticides and herbicides preparations.

A similar result could be achieved even if I reduced the water content in the solvent/water solution to about 5%.

I hereby declare that all statements made herein true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued.

Signature:

John P. R. Hwang
John P. R. Hwang

Oct 5, 2004
Date:

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